

# PUBLIC NOTICE

US Army  
Corps  
of Engineers  
Baltimore  
District

In Reply to Application Number  
CENAB-OP-RMS (SLATER, G BARRY/BULKHEAD,  
REVTMENT, PIER, PILINGS, BREAKWATER &  
DREDGING) 2006-66730-18

PN-06-64

Comment Period: December 4, 2006 to December 26, 2006

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers & Harbors Act of 1899, as described below:

APPLICANT                      G Barry Slater  
                                     5040 Neals School Road  
                                     Seaford, DE 19973

LOCATION:                      In the Upper Thorofare, at Chance, Somerset County, Maryland

WORK: To mechanically dredge a 49,682 square feet area within and adjacent to an existing marina, to a depth of -6.0 feet at mean low water (MLW); to remove 364 feet of deteriorated timber bulkhead and reinstall 424 feet of new vinyl or timber bulkhead; to construct a 495-foot long by 6-foot wide perimeter walkway with four (4) 30-foot long by 3-foot wide finger piers and eight (8) mooring pilings; to install 191 feet of stone revetment a maximum of 6 feet channelward of the mean high water line (MHWL); to replace and reconfigure an existing deteriorated pier with a new 162-foot long by 8-foot wide timber pier to include five (5) 15-foot long by 3-foot wide finger piers with nine (9) mooring pilings and four (4) 30-foot long by 3-foot wide finger piers with eight (8) mooring pilings; to construct a new 151-foot long by 8-foot wide timber pier; and to replace a deteriorated breakwater with a new 30-foot long timber or vinyl breakwater, all a maximum of 158 feet channelward of the mean high water line (MHWL). The estimated 5500 cubic yards of dredge material will be confined on site in an upland area. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Eugene Morgenthaler at (410) 820-8629.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1986 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH). The project site lies in or adjacent to EFH as described under MSFCMA for juvenile and adult life stages for Scophthalmus aquosus (windowpane flounder), Pomatomus saltrix (blue fish), and Paralichthys dentatus (summer flounder); and eggs, larvae, juvenile, and adult life stages of Sciaenops ocellatus (red drum), Scomberomus cavalla (king mackerel), Scomberomus maculatus (spanish mackerel), and Rachycentron canadum (cobia), managed species under MSFCMA. The project has the potential to adversely effect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat. The Baltimore District has determined that the adverse effects of this project would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigation measures are recommended to minimize adverse effects on EFH, at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination. \_



The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person who has an interest which may be adversely affected by the permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:



PAUL R. WETTLAUFER  
Acting Chief, Maryland Section Southern

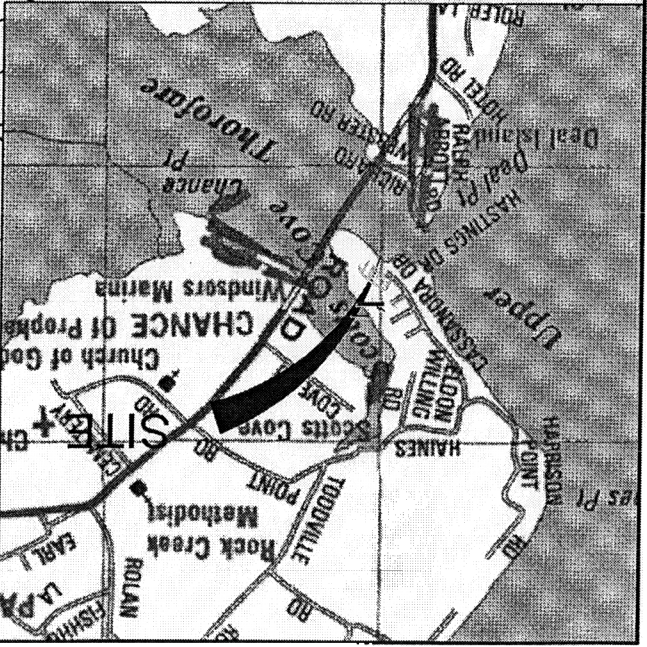


LOT 25  
 MARGARET PALUA  
 23281 HASTINGS DR  
 CHANCE, MD 21821  
 LOT 28  
 ROBERT & CYNTHIA GENAU  
 905 KENILWORTH AVE  
 NEWARK, DE 19711  
 LOT 16 & 17  
 JOYCE ADAMS ETAL  
 28 SEAGULL RD  
 SELBYVILLE, DE 19975

ADJACENT PROPERTY OWNERS

SCALE: 1"=2000'  
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VICINITY MAP



G. Barry Slater

PREPARED FOR:

TAX MAP 19

GRID 17

PARCEL 311

SOMERSET COUNTY

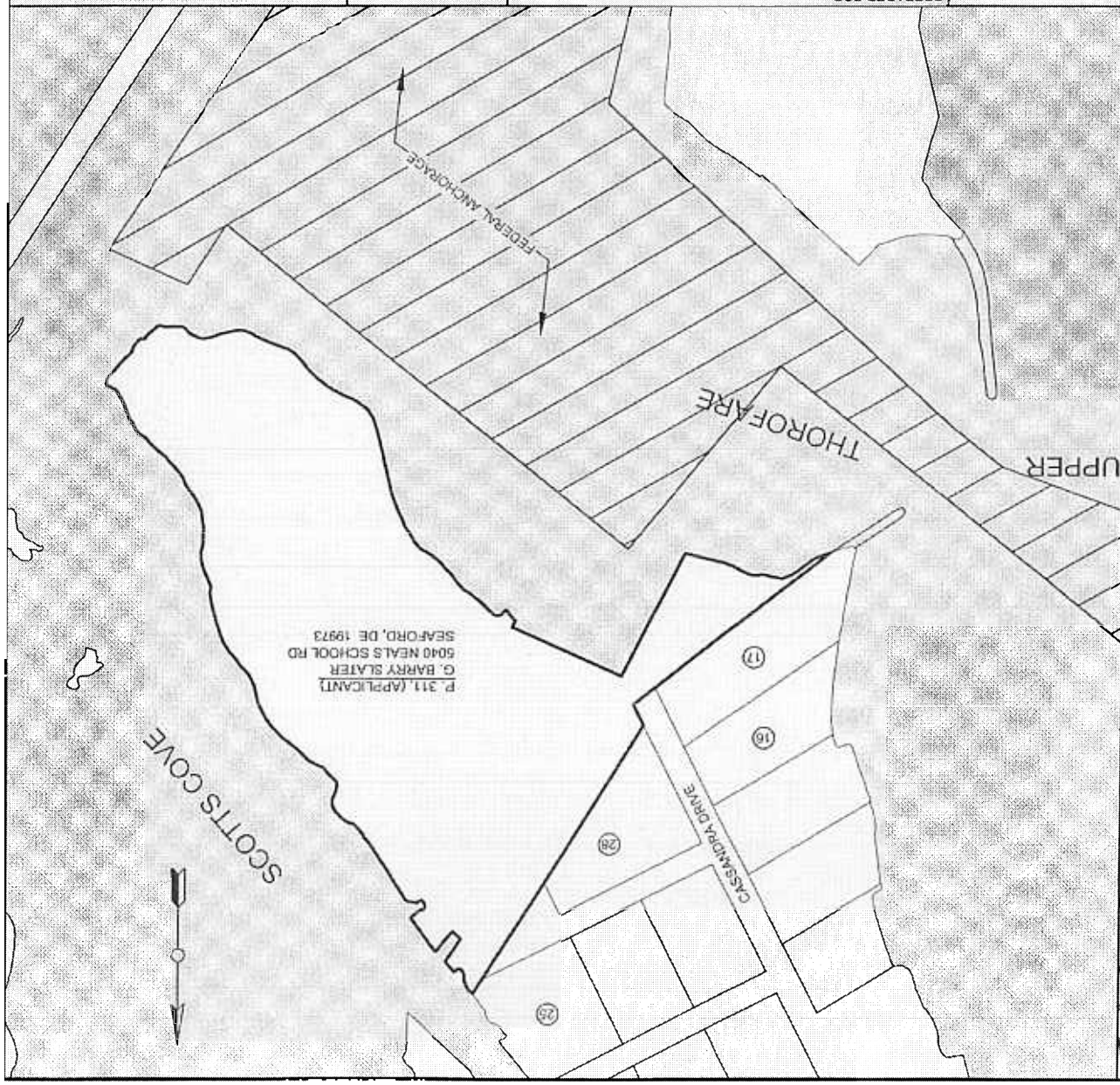
SHEET NO.: 1 of 7

SCALE: 1"=200'

DATE: 10/16/06



26573 Quantico Creek Road  
 Hebron, MD 21830  
 Phone: (410) 749-3110  
 FAX: (410) 749-3114



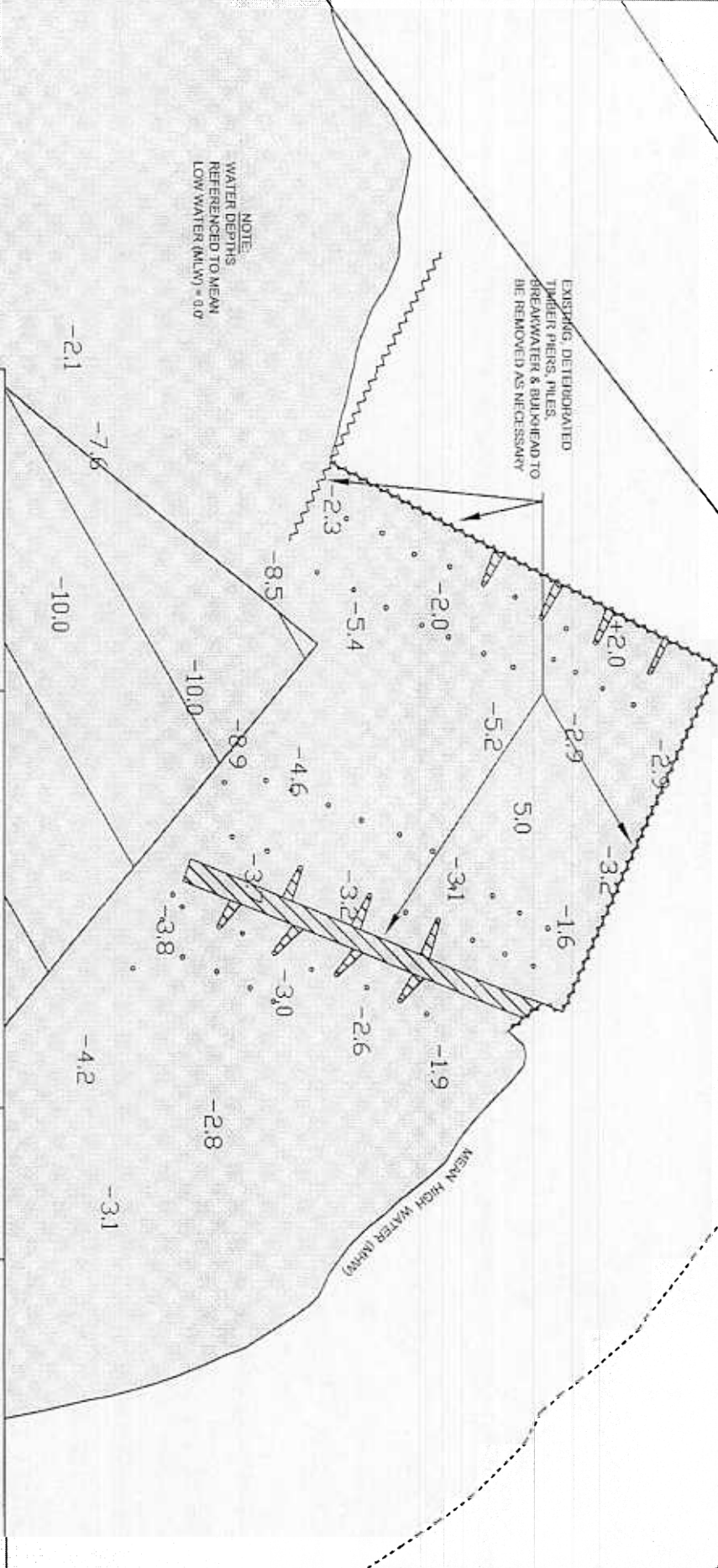


# EXISTING CONDITIONS

100-FOOT BUFFER

EXISTING, DETERIORATED  
TIMBER PIERS, PILES,  
BREAKWATER & BULKHEAD TO  
BE REMOVED AS NECESSARY

NOTE:  
WATER DEPTHS  
REFERENCED TO MEAN  
LOW WATER (MLW) = 0.0'



PREPARED FOR:

*G. Barry Slater*

TAX MAP 19

GRID 17

PARCEL 311

SOMERSET COUNTY

SHEET NO:

2 of 7

SCALE:

1"=60'

DATE:

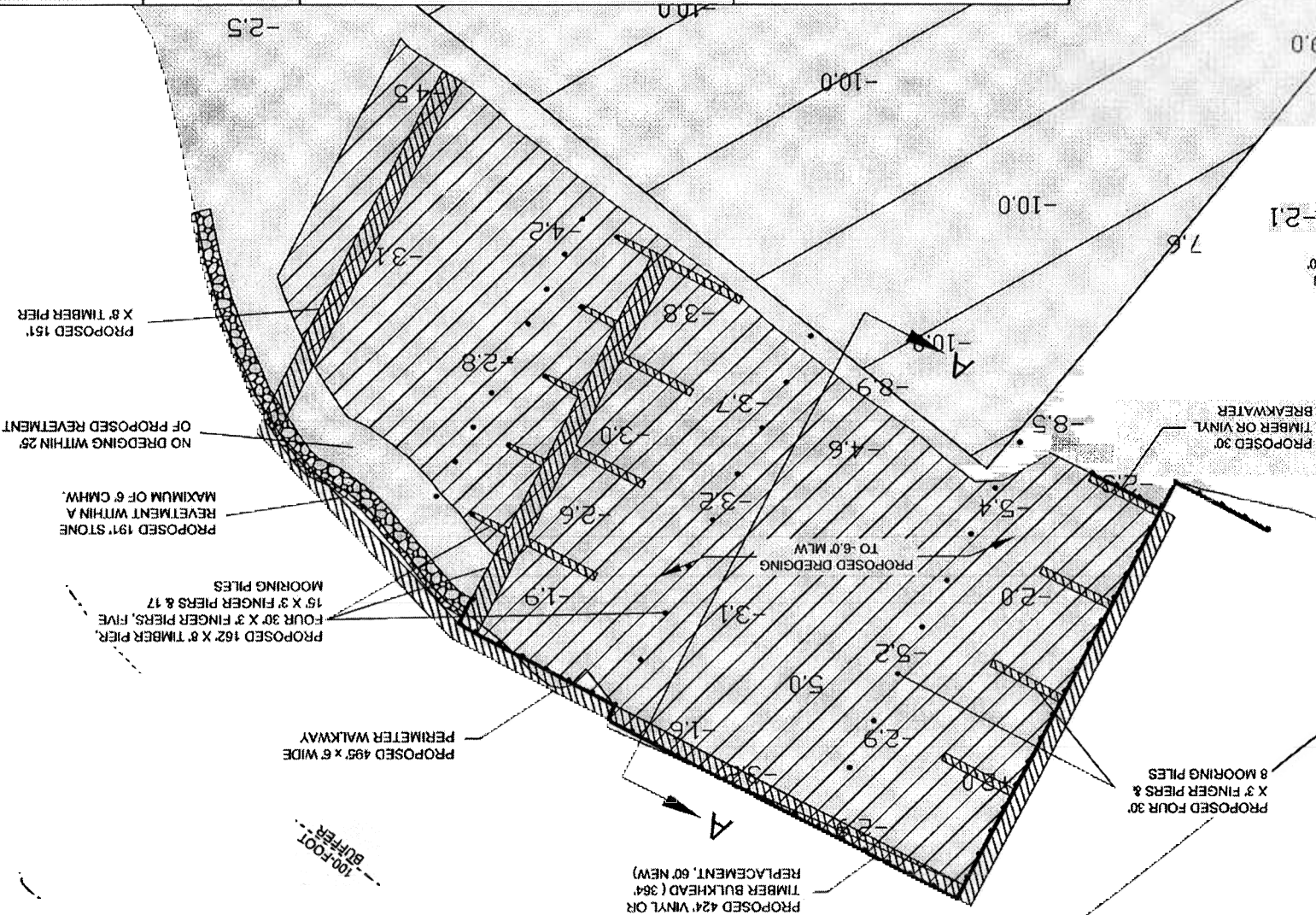
10/16/06



26573 Quantico Creek Road  
Hilltop, MD 21830  
Phone: (410) 749-3110  
FAX: (410) 749-3114



# PROPOSED CONDITIONS



G. Barry Slater

PREPARED FOR:

SHEET NO.: 3 of 7

SCALE: 1"=60'

DATE: 10/16/06

PARCEL 311

GRID 17

TAX MAP 19

SOMERSET COUNTY



26573 Quantico Creek Road  
Hebron, MD 21830  
Phone: (410) 749-3110  
FAX: (410) 749-3114



# DREDGE DISPOSAL

## NOTES

- AREA: 49,682 SQ. FT.
- PROPOSED DEPTH: 6.0' MLW
- AVERAGE EXISTING DEPTH: 3.136' MLW
- VOLUME: 5,270 CU. YDS.
- DESIGNED FOR DREDGING AND DISPOSAL SITE.
- TEMPORARY STORAGE OF THE PREDOMINANTLY SANDY DREDGE MATERIAL THE MATERIAL WILL ULTIMATELY BE TRUCKED AWAY.
- AREA: 29,128 SQ. FT.

100-FOOT CRITICAL AREA BUFFER

DREDGED MATERIAL DISPOSAL/DEWATERING SITE

PROPOSED DREDGING TO -6.0' MLW

CASANDRA DRIVE

UPPER THOROFARE

SCOTT'S COVE

G. Barry Slater

PREPARED FOR:

TAX MAP 19

GRID 17

PARCEL 311

SOMERSET COUNTY

DATE:

10/16/06

SCALE:

1"=100'

4 of 7

SHEET NO.:



26573 Quantico Creek Road  
Hebron, MD 21830  
Phone: (410) 749-3110  
FAX: (410) 749-3114



# BULKHEAD DETAIL

36' REPLACEMENT BULKHEAD,  
VARYING FROM 7'-3" LANDWARD TO  
2'-9" CHANNELWARD OF THE  
EXISTING, DETERIORATED BULKHEAD

EXISTING DETERIORATED  
TIMBER BULKHEAD AND  
BREAKWATER TO BE REMOVED

30' TIMBER OR  
VINYL BREAKWATER

60' NEW BULKHEAD, VARYING  
FROM 4'-8" LANDWARD TO 6"  
CHANNELWARD OF THE MHWL

*G. Barry Slater*

PREPARED FOR:

SHEET NO.:  
5 of 7

SCALE:  
1"=40'

DATE:  
10/16/06

TAX MAP 19 GRID 17 PARCEL 311

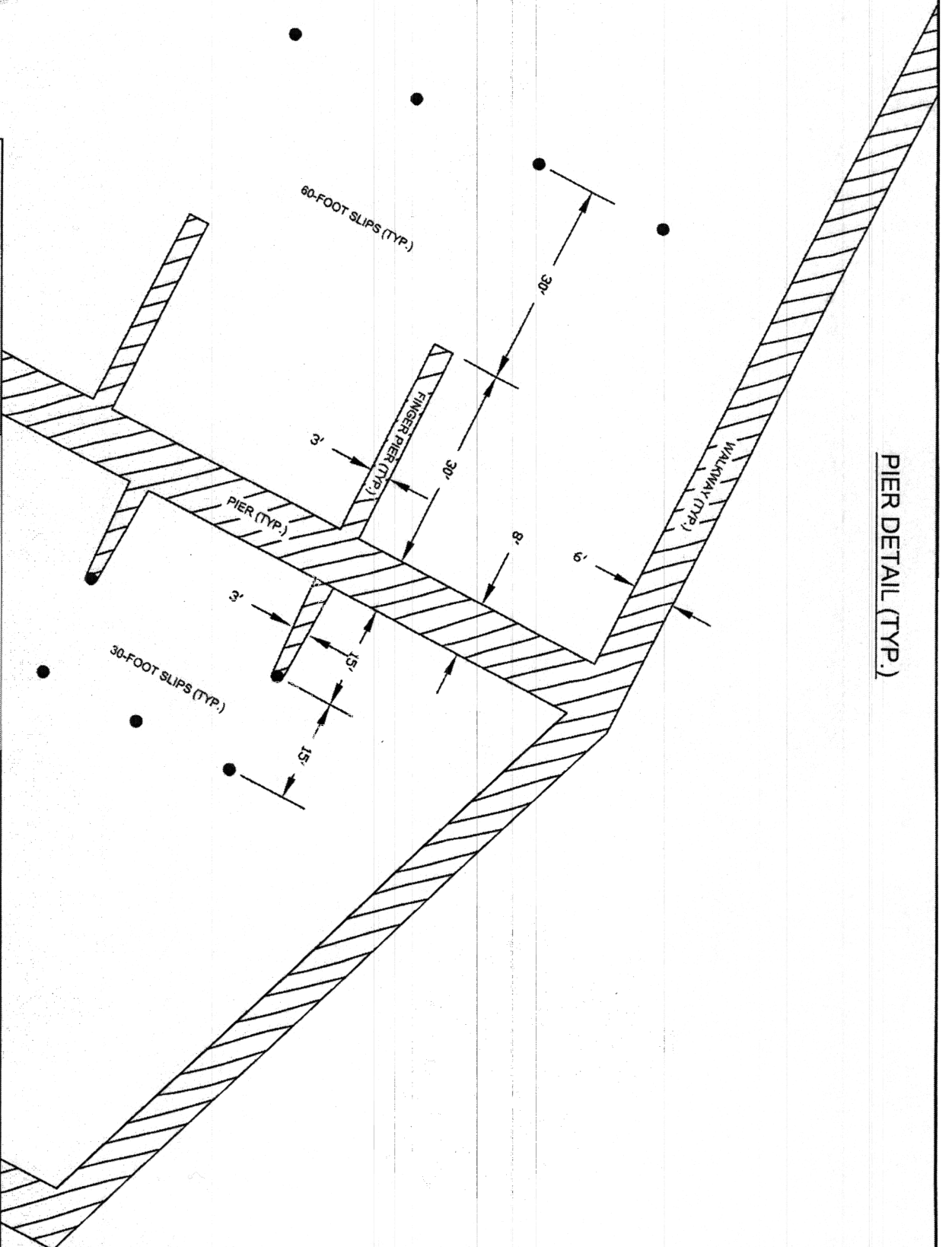
SOMERSET COUNTY

26673 Quantico Creek Road  
Hebron, MD 21830  
Phone: (410) 749-3110  
FAX: (410) 749-3114





# PIER DETAIL (TYP.)



PREPARED FOR:

**G. Barry Slater**

TAX MAP 19

GRID 17

PARCEL 311

SOMERSET COUNTY

SHEET NO.:

6 of 7

SCALE:

1"=20'


DATE:

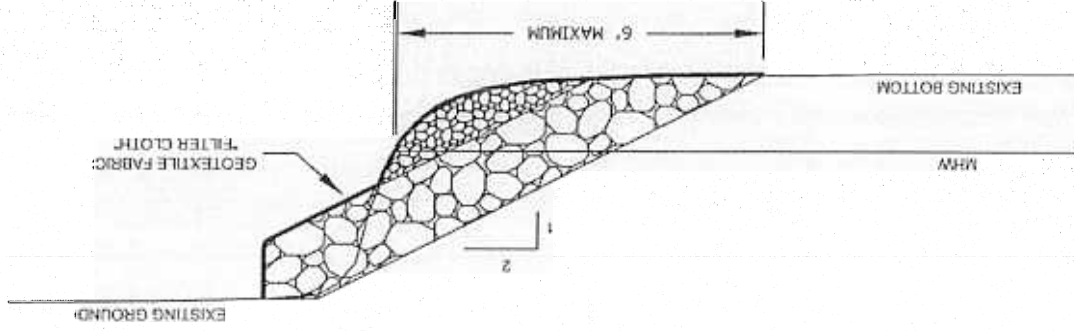
10/16/06



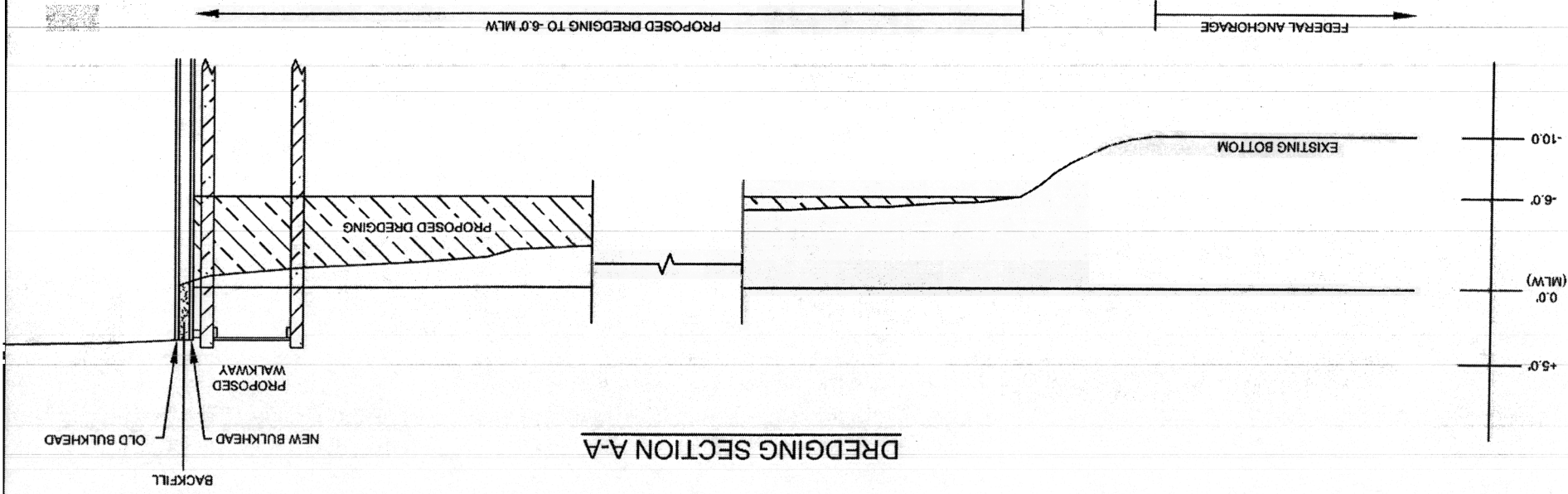
26573 Quantico Creek Road  
Hebron, MD 21830  
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FAX: (410) 749-3114



 <p>26573 Quantico Creek Road Hebron, MD 21830 Phone: (410) 749-3110 FAX: (410) 749-3114</p>	SHEET NO.: 7 of 7 SCALE: NTS DATE: 10/16/06		PREPARED FOR: <b>G. Barry Slater</b> PARCEL 311 GRID 17 SOMERSET COUNTY	TAX MAP 19 GRID 17 SOMERSET COUNTY



**REVIEW SECTION**



**DREDGING SECTION A-A**